19 35 .

Department of Revenue

OFFICE Bd of Rev 2nd

STATION Madras

No. 3192

Dated 23. 8. 35

B 4372/35

(SUBJECT.)

Assignment - Town-sites - (South Kanara) - Mangalore -- Tk & Town - Bolur Agr -- Pentlandpetah - T.S. No (62 - Plots - Sale -- Confirmation -- Bi's Sanction

Ref.A?.No.2638/35. South Kanara Collector's Office,

Mangalore, dated 29th July 1935.

From

E. M. Gawne, Esquire, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s.

Sir,

Assignment - Land - Mangalore Taluk and Town -Bolur A village - Pentland Petpan - Portion of T.S.No. 682 - sale under B.S.O. 21 (11) -Confirmation - requested.

I enclose herewith a statement showing the particulars of the town sites which were sold in auction as directed in B.P. Mis. No. 162 dated 15-1-35 and the highest bids obtained for them at the sale. The sale was held by the Tahsildar, Mangalore on 25-4-35 after observing all the formalities required under the rules. He reports that there was keen competition among the bidders and that the prices obtained are more than what were expected.

2. As the total value of the land exceeds Rs. 5000/- I request that the Board may be pleased to confirm the sale under B.S.O. 21-11(X) (IX). All the successful bidders are reported to have remitted the purchase money in full.

Your obedient servant,

Sd/- Madhavarao

For Collector. 29/7

Vom 29.7.35.

Statement showing the particulars of the plots in Pentland Petah of Mangalore Town, sold by public auction on 25-4-1935 and the bids obtained for each plot.

Name of the Taluk: Mangalore. Name of the village - No.90 A Bolur.

T.S.No.	Extent. in Sq.ft.	Name of the highest bidder.	Highest bid obtained. Rs. a. p.
682-1A1B	6723	H. Anantha Nayak	835-0-0
682-1A1C	6723	M. Panduranga Bhandary	925-0-0
682-1A1D	5363	Sundernath Mallya	605-0-0
682-1A1E	7094	Vittal Shantarama Rao	550-0-0
682-1A1F	6908	H. Anantha Nayak	615-0-0
682-1A1G	6886	Vittal Shantarama Rao	625-0-0
682-1A1H	6945	- do -	810-0-0
682-1A1J	6816	Ullal Deva Rao	315-0-0
682-1A1K	6832	B. Subbaya	300-0-0
682-1A1L	6796	do.	395-0-0
682-1A1M	6736	K. Lakshman Nayak.	400-0-0
			6375-0-0

South Kanara Collector's office,
Mangalore, dated 29th July 1935.

For Collector.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..	6/8/35	
When despatched.		

SUBJECT:—

Assignment- Town-sites - (South Kanara)- Mangalore Tk and Town - Bolar A village - Pentlandpetah - T.S.No 682 - Plots - Sale - Confirmation - Board's sanction - Unnecessary.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:—

No. B4372/35 From the Collr of S. Kanara, No. 9, dated _____ 19____.

" - - " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

~~Order~~ / Resolution ~~Ms.~~ / ~~Proc.~~ No. 3192 dated 23 - 8 - 1935.

The Collr is informed that the money-limit prescribed in clause (ix) of para 11 of B.S.O. No. 21 applies to the sale of each plot and that ~~therefore~~ the confirmation of the Board is ~~therefore~~ not necessary in respect of the sales refered to in his letter read above, as the value of the occupancy right in each plot is less than Rs 5,000/-.

23/8/35

CE

21.8.35 GD
21/8/35

Assignment – Town-sites – (South Kanara) Mangalore Tlc and Town – Bolur A village Pentland pettah – T.S.No 682 – Plots sale – confirmation by the Board.

Papers put up Pp 1 to 9.
1) BP Ms 35648/6.10.34 (E)
2) BP Ms 1623/15.1.35 (C)

B 4372/35 – from the Coll. of S. Kanara

To Asst Secy.

Please see the Coll's letter.

Eleven plots – all separate subdivisions – in T.S. No 682 of Mangalore Town have been sold in auction by the Tahv. of Mangalore The total sale proceeds of all the plots exceeds Rs 5000, though no individual plot has been sold for more than Rs 925/- It would appear from the list on p 3 c.f. that each plot has been sold separately, though some individuals have been the successful bidders of more than one plot. The Coll. has submitted the sales for the confirmation of the Board under B.S.O. 21 – 11 – (ix)

3. B.S.O. 21 – 11 – (ix) states that " sales of occupancy right in land, the value of which exceeds Rs 5,000 shall be subject to the confirmation of the Board

of Revenue The question for consideration is whether the limit of Rs 5,000 applies to the sale of each individual plot or whether it should be applied to the sales of all plots, taken together as one transaction. It is submitted that the limit should be applied to the sale of each plot, considered as a separate transaction It does not appear that any patronage will be exercised in selling the plots separately in such a manner so as to affect adversely the income to the Govt on account of the sale proceeds; nor is there any rule which would prohibit the plots being sold separately on different occasions It is therefore submitted that the limit of Rs 5000 should be considered to be applicable to the sale of each individual plot or lot of plots This interpretation would also seem to be borne out (1) by the wording of B.S.O 21-11-(X) with the note to it (as amended by correction slip No LXXX of 24.8.22) in the 1920 Edition, which states that the sanction of the Govt should be obtained to the sale of land in any individual case when its value exceeds Rs 10,000, and

(2) by the interpretation given by the

Govt to the words, market value of the land as the value of the land to be assigned to each individual in respect of free grants within the Collrs powers of sanction. ~~This applies equally to sales in public auction.~~

4. In the circumstances, it is for orders whether the Collr. may be informed that the sales of the plots referred to in his letter do not require confirmation by the Board. ~~The plots~~ ~~In order~~ individual plots have been separately subdivided and must have been put up for sale in auction separately and not in one lot, as the purchasers are different individuals. Each sale has to be treated as a ~~separate~~ single transaction and the sanction of the Board is not required, as the sale price is less than Rs 5,000/— in any case. The Collr may be informed accordingly. For orders.

CB
16.8.35

CB
17/8/35

The money limit presented in clause (IX) of BSO 21-11 applies to the sale of each plot and the Collector is competent to confirm it.

4

To Asst Secy

Draft submitted

23/8/35

21/8/35

21/8/35

Assignment – Town-site – (South Kanara) – Mangalore Tlc & Town – Bolur A Village Pentland Pettah – T.S. No 682 – Plots – Sale – Confirmation by the Board – Unnecessary

B 4372/35 – from the Collr. of S. Kanara – Q